



Area 4 Developmental Disabilities Board

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Legislative & Public Policy Committee Minutes for March 14, 2013

Members Present: Joshua Baker, Chairperson; and, Martin Weil.
Members Absent: Max Duley, Tina McLean
Staff Present: Bob Phillips

CALL TO ORDER & ESTABLISHMENT OF QUORUM: Joshua Baker called the meeting to order at 6:01 pm. It was not established whether a quorum was present or not.

PUBLIC COMMENT: No members of the public were present.

PURPOSE OF THE COMMITTEE: J. Baker stated the purpose of the LPPC, which is to review and make recommendations to the Board on pending state legislation and public policy that impacts persons with developmental disabilities.

COMMUNICATING WITH YOUR LEGISLATORS:

- A copy of "*Practice Democracy*", the brochure published by Area 4 Board which lists the names and contact information for the Governor and state legislative representatives that intersect with Napa, Sonoma, and Solano counties will be sent to all board members.
- Per Martin's suggestion, the names and contact information for their assembly and senate representatives will be sent to all board members.
- LPPC members will be sent a copy of a "Pocket Dictionary of the California Legislature".
- There was discussion of visiting legislators when they are in their district during the break in the legislative session.

STATE LEGISLATION

1. Abuse and Neglect Legislation

Comments were that none of the bills went far enough to address the issues of abuse and neglect but consensus was they were steps in the right direction and the LPPC could support all three bills.

Martin felt that more comprehensive reform was needed than the individual bills provided. Discussion followed about the Office of Protective Services and transparency. Comments were that OPS should not have responsibility for major crimes; that certain classifications of crime would be transferred to local law enforcement for investigation; that OPS be under another department than DDS. Martin noted that at the public forum on Sonoma DC, the California Watch reporter emphasized how shocked he was at the lack of transparency by the SDC, DDS, and Department of Public Health. Comment was made by staff on the difficulty of getting reports from SDC on the DPH surveys. In sum, members would have liked to see more comprehensive legislation to reform the developmental centers in the areas of investigation of crimes and in transparency and communication by SDC.

a. SB 651 (Pavley)

Requires medical evidentiary examinations be provided, by an appropriate facility off the grounds of a developmental center, for residents of the developmental center who are victims of a sexual assault.

Defines penalties for developmental centers for failure to report specified incidents to local law enforcement

There was a question about the penalties specified for failure to report. The information was not known at the meeting but the penalties are described in code Health & Safety Code 1424.5 follows:

Committee Position: Support

b. AB 961 (Levine)

Specifies a timeline for Department of Public Health to complete investigations of complaints and issue a citation if one is issued. Authorizes public notice of licensing or survey reports as long as they don't contain personally identifying information.

Committee Position: Support

c. AB 602 (Yamada)

Requires a training course be developed and be required as part of the training for law enforcement personnel in law enforcement agencies with jurisdiction over state mental health hospitals and state developmental centers.

The bill also requires that mandated reporters make reports on specified incidents of abuse and neglect in a specified time frame to the Department of Developmental Services **and to** the local law enforcement agency if any alleged abuse or neglect occurred at the state developmental center and resulted in specific incidents including death or a sexual assault.

The bill also requires a local law enforcement agency to coordinate efforts with the investigators of the DDS to provide a response to investigate the aforementioned reports of specified incidents.

Committee Position: Support

2. Autism Insurance Legislation

a. SB 126 (Steinberg)

This bill extends the sunset date of current provisions of law from SB 946 to July 1, 2019.

Current law from SB 946 clarified that responsibility that was in Mental Health Parity Law that health care plans were responsible to provide behavioral health treatment to persons with autism when medically necessary.

Committee Position: Support

b. SB 163

This bill is a legislative alternative to the Governor's Trailer Bill on autism insurance. Unlike the Trailer Bill, SB 163 goes through policy committees in the senate and assembly. The bill is a spot bill but will address the issues of access to behavioral treatment services for persons with ASD.

Committee Position: Watch

3. Employment Legislation

a. AB 1041 (Chesbro) Employment First Policy.

This bill establishes a state policy with the intended outcome of significantly increasing the number of individuals with developmental disabilities who engage in integrated employment, self-employment, and microenterprises, and in the number of individuals who earn wages at or above minimum wage.

Martin mentioned that this bill was the Council's bill and the Area Board had supported it in the past. Joshua spoke about the fear that many parents and individuals with developmental disabilities had that they would lose their SSI if they worked and earned a wage. He explained how they would, however, come out ahead by working. He said self advocates need to speak to other people with developmental disabilities about the benefits of working.
Committee Position: Support

b. SB 577 (Pavley) Pilot employment program.

This bill would establish a pilot program for young adults with autism to help them find pathways to financial independence through work.

Joshua mentioned that a huge number of young adults with autism are moving through the schools to adult life. There was some discussion as to what models might look like that could support youth with autism become employed. There was comment that all youth with disabilities needed new and innovative models and services and supports to enable them to be employed.

Committee Position: Watch

c. SB 349 (Walters) Sheltered work transition to employment.

This bill would require a provider of sheltered work to demonstrate that 20 % of the clients transition each year to integrated individualized employment.

Some concern was expressed about the problems the 20% requirement might pose for providers who have struggled with reductions of funding in recent years , although there was acknowledgement that much more movement and transitioning of people from sheltered and segregated environments and programs was imperative and needed. There was also mention of need for better data collection and reporting/distribution of data on the movement of clients from sheltered programs to integrated employment and the wages earned.

Committee Position: Watch

4. Self Determination Legislation

o SB 468 (Emmerson)

This bill would set up a statewide self-determination project to enhance the ability of consumers and families to control decisions and resources to meet their individual program plan goals and objectives.

Joshua said, "It works!" And, it is cost effective. He spoke of his experience with it in the Redwood Coast Regional Center area, as did Bob who years back arranged for participants in the original self-determination project at Redwood Coast RC to speak to consumers and families in Modesto.

Comment was that it should not just be a pilot but be available for any consumer at all regional centers who wanted the self-determination option.

Committee Position: Support

7:45
8:00

MEETING SCHEDULE
ADJOURN

J. Baker
J. Baker

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